

ENTERED

September 12, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

| | | |
|--------------------------------------|---|--------------------------------|
| IN RE: |) | Chapter 7 |
| |) | |
| MOUNTAIN EXPRESS OIL COMPANY, |) | CASE NO. 23-90147 (DRJ) |
| et. al. |) | |
| |) | |
| Debtors.¹ |) | (Jointly Administered) |

**ORDER GRANTING 4COURT HOLDINGS LLC AND 4COURT LEASING LLC'S
EXPEDITED AND UNOPPOSED MOTION TO APPROVE REJECTION OF
EQUIPMENT LEASES AND REJECTING EQUIPMENT LEASES**

(Docket No. 1444)

Came on for consideration the Expedited and Unopposed Motion to Approve Rejection of Equipment Leases (the “**Motion**”), filed by 4Court Holdings LLC and 4Court Leasing LLC (collectively, “**Movants**”), in which Movants request that this Court enter an order approving the immediate rejection of all Equipment Leases (as defined in the Motion) to enable Movants to take all action necessary to immediately exercise all of its rights under the Equipment Leases under applicable non-bankruptcy law, including serving notice of defaults, terminating the Equipment Leases, and exercising Movant’s rights to remove the Equipment (as defined in the Motion) from Debtor’s possession; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334(b); and the Court having found that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given, under the circumstances, and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient

¹ A complete list of each of the Debtors in these Chapter 7 cases may be obtained from that certain Order (I) Directing Joint Administration of the Debtors’ Chapter 11 Cases and (II) Granting Related Relief. [Dkt. No. 17]. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in these Chapter 11 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

cause appearing therefore, the Motion is hereby **GRANTED** to the extent set forth herein, and it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

1. The Equipment Leases (as defined in the Motion) are hereby rejected and terminated as of the date of this Order, thereby allowing Movants to exercise all rights available to Movants under applicable non-bankruptcy law, including exercising Movant's rights to remove the Equipment (as defined in the Motion) from Debtor's possession.

2. The Trustee shall, to the extent necessary, provide Movants with access to the Equipment immediately upon the entry of this Order.

3. Any applicable stay under the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure is waived, and this Order shall be effective upon entry.

IT IS SO ORDERED.

Signed: September 11, 2023.


DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Order prepared and submitted by:

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